

REMARKS

Claims 1-7 and 14-21 are pending. Claims 8-13 were previously withdrawn and are now cancelled.

Applicants thank the Examiner for indicating certain features presented in the specification are "free of the art".

Applicants thank the Examiner very much for the request to update the priority information in the specification. Applicants have accordingly added the cross reference to the priority provisional application.

I. **New Claims**

Claims 1 and 7 have been amended to recite the "matrix" as a "basement membrane matrix". This is supported by page 3, second paragraph after "DETAILED DESCRIPTION", which states, "The composition of the invention is a reconstituted basement membrane which mimics the activity of the natural membrane and provides cells with an environment conducive to growth, attachment or penetration."

Claim 14 has been added to recite sucrose as supported at page 5 of the present specification.

Claim 15 is supported by the first paragraph of the application.

Claims 16-21 correspond to cancelled Claims 8-13 and depend from Claim 1. Thus, Applicant respectfully requests Claims 8-13 be rejoined when Claim 1 is allowed.

It is respectfully submitted no new matter is presented by this Amendment.

II. **Title**

The title stands objected to as not being descriptive of the present invention as recited by the claims. In response, the title of the application has been changed to mirror the preamble of independent Claim 1.

III. **35 USC § 112**

Claims 1-7 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim that which is considered the invention. Specifically, the Office Action asserts in claim 1(b) the composition is derived from a source but

what the composition is has not been set forth. In response, claim 1 has been amended to clarify what was originally intended by the claims.

Moreover, it is respectfully submitted the claim 1(b) term "reconstituted and aggregated extracellular matrix derived from Englebreth-Holm-Swarm (EHS) mouse tumor" is a term of art.

The reconstituted and aggregated extracellular matrix is defined by the present application at page 4, first paragraph as being described in US Patent No. 4,829,000 (already of record). The '000 patent, col. 1, lines 58-63, explains the material is, "a reconstituted, basement-membrane-derived extracellular coomposition (matrigel) capable of polymerizing on heating and forming a three dimensional matrix which promotes cell growth and differentiation *in vitro* and *in vivo*." US '000, col. 4, lines 50-51, also uses the term "basement membrane matrix."

Moreover, the term is used as a term of art in the technical literature, such as Becton Dickinson's Technical Bulletin 427, "An Improved MATRIGEL® Invasion Chamber" (1998)(cited at page 1 of the present application) and Becton Dickinson's Technical Bulletin 422, "MATRIGEL® Basement Membrane Cell Invasion Chamber" (1996). Copies of both references are included in a concurrently filed Information Disclosure Statement.

The Abstract of Technical Bulletin 427 states " MATRIGEL® Basement Membrane Matrix is a biologically active reconstituted extracellular matrix."

The Abstract of Technical Bulletin 422 states "MATRIGEL® Basement Membrane extracted from the Englebreth-Holm-Swarm (EHS) mouse tumor can be used as a reconstituted basement membrane that provides a biologically active ECM [extracellular matrix] for *in vitro* invasion analysis."

V. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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